



RIGHTS STUFF

A Publication of The City of Bloomington
Human Rights Commission

City of Bloomington

November 2005

Volume 77

T-Shirt Rights

The court case described in this article is not the kind of case that the Bloomington Human Rights Commission handles, but it's interesting enough to warrant a discussion.

David Griggs, a student at a public high school in Fort Wayne and a strong supporter of the Marines, wore a t-shirt to school that said the following:

My Rifle

The Creed of a United States Marine

This is my rifle. There are many like it, but this one is mine. My rifle is my best friend. It is my life. I must master it as I master my life. My rifle, without me, is useless. Without my rifle, I am useless. I must fire my rifle true. I must shoot straighter than my enemy who is trying to kill me. I must shoot him before he shoots me. I will ...

The shirt also depicted a large picture of a M16 rifle (the standard Marine weapon) and a seal of the Marines.

School personnel told Griggs that his t-shirt was "inappropriate for the educational setting" and that he could not wear it to school again. Griggs believed he had the First Amendment right to wear the shirt. He argued to the court that the school's rule which prohibits "apparel depicting . . . symbols of violence" was an impermissibly broad restriction on student speech.

Griggs said that wearing the shirt gave him a "feeling of pride for [his] fellow countrymen" who "are going to war and dying for [his] freedom." He wore the shirt again after being told not to "to make a point." He was suspended and sent to the in-school suspension room to wait for his

father to pick him up. In the school's suspension room, he saw a recruiting poster for the Marines. The poster depicted a Marine carrying a rifle virtually identical to the one on his forbidden shirt.

The school, in defending its rule against apparel depicting symbols of violence, noted its own experience with violence. A year earlier, a senior at the school had been kidnapped, tortured and brutally murdered. In the previous three years, 274 students enrolled in the school system had been disciplined for weapons violations. But, as the court noted, there was no evidence that any of these weapons violations or the murder were sparked by a student's "inappropriate" clothing. There was no evidence that any item of clothing, including Griggs' shirt, had caused a disruption.

The court held that the school could have a rule prohibiting students from wearing clothes with symbols of violence, but that applying the rule to Griggs' shirt was unconstitutional. The court disagreed with the school's description of the shirt as delivering the message that Griggs wanted to kill his enemies before they kill him. The court said that the message was about a Marine's pledge to shoot his enemies, enemies of the country. The court said the shirt's message was not a "threat of violence by Griggs or a general celebration of killing one's enemies, as the Board claims; rather, its references to violence are limited to a military context." The court said that the school had every right to prevent student violence but had no evidence that banning the shirt had any reasonable relation to preventing student violence.

(continued on page 2)

BHRC Staff

Barbara E. McKinney,
Director

Barbara Toddy,
Secretary

Commission Members

Jeff Harlig, Chair

Nancy Metz,
Secretary

Byron Bangert

Prof. Carolyn Calloway-Thomas

Emily Bowman

Shaunica Pridgen

Valeri Haughton

Mayor

Mark Kruzan

Corporation Counsel

Kevin Robling

BHRC
PO BOX 100
Bloomington, IN
47402
349-3429
human.rights@
bloomington.in.gov



Town Hall Meeting On Religion In Politics And Public Life

The City of Bloomington's Martin Luther King, Jr. Commission and Safe and Civil City Program invite the public to a Town Hall Meeting: "What Would Dr. King Do? - On the Role of Religion (Conservative and Progressive) in American Politics and Public Life."

The Town Hall Meeting will take place Thursday, November 10, 2005, at 7 p.m. in the Council Chambers at City Hall, 401 N. Morton Street.

"This is a great opportunity for the community to gather, listen and discuss the issues surrounding religion and politics," said Mayor Mark Kruzan. "The town meeting not only promotes the sharing of ideas and opinions but also creates a sense of inclusiveness in the community."

Professor Daniel Conkle, an IU law professor, will moderate the meeting.

Other members of the panel include IU Associate Professor Valerie Grim, Interim Chair of the Department of African American and African Diaspora Studies; Sheldo Gellar, Political Scientist and Research Associate at the IU Workshop in Political Theory and Policy Analysis, member of the King Commission and of Congregation Beth Shalom; and Rev. Tom Ellsworth, Senior Minister at Sherwood Oaks Christian Church, who also serves with the North American Christian Convention.

The public will be invited to ask questions and join in the discussion after presentations by the moderator and panelists.

The King Commission and Safe and Civil City Program selected this topic for the Town Hall Meeting so the community can discuss the broad issue of the role of religion in politics and public life. The King Commission raises awareness about the life and legacy of Dr. Martin Luther King, Jr., The Safe and Civil City Program and promotes safety and civility in the Bloomington and Monroe County community.

For additional information, please contact Craig Brenner, Special Projects Coordinator, Community and Family Resources Department, at 349-3471, brennerc@bloomington.in.gov, or Beverly Calender-Anderson, Safe and Civil City Program Director, at 349-3560. ♦

T-Shirt Rights (Continued from Page 1)

The school argued that if it had to allow this shirt, it would have to allow other shirts, available on the internet, with slogans such as "Kill 'Em All, Let God Sort 'Em Out." The court said that these shirts had no explicit military context and could reasonably be construed as a direct threat or approval of violence. Thus, they were not comparable.

The school also argued that Griggs could show his support for the military in many ways without displaying a symbol of violence. But, the court notes, the school obviously did not have a blanket objection to the depiction of symbols of violence in its schools. As noted earlier, the school displayed a Marine recruiting poster, including a gun, in its detention room. Its mascot is the Trojan, a statue of an ancient warrior with his hand resting on the hilt of a sword.

Finally, the school argued that Griggs' shirt could make students recall the movie *Full Metal Jacket*, in which a disturbed Marine recited the Marine creed while killing his drill sergeant and himself. The court doubted that the shirt would conjure up this image for students who were born after the movie was released and said the school failed to establish how preventing students from recalling this movie could conceivably be a legitimate pedagogical interest. ♦



HAPPY THANKSGIVING!!!





Benefit Concert and Dinner For Options For Better Living

Options for Better Living is hosting a benefit concert and dinner on Sunday, November 6, from 5 to 7 p.m., at Michael's Uptown Café.

The dinner menu includes hummus/olives, house salad/baguettes, chicken cacciatore or spinach artichoke lasagna (vegetarian), persimmon pudding and iced tea or lemonade. Participants may also buy, in advance, individual beverage coupons for \$4 that may be redeemed the night of the event for wine or draft imported beer.

Craig Brenner, piano and vocals; Andrea Fiedler, violin and vocals; and Lori Wallace, percussion and vocals, will provide the entertainment. They

will be playing Craig's original jazz, blues and boogie-woogie and great music by Ray Charles, Professor Longhair, Ruth Brown, Hank Williams, Fats Domino, Charles Brown and others.

Tickets are \$50 a person and available at Options or at the Uptown. The vegetarian option must be ordered when purchasing tickets. For more information, please contact Options at 332-9615 or vamarant@optionsfbl.com.

Options exists to partner with people with disabilities and their communities to bring about self-directed and fulfilled lives. ♦



City Of Bloomington Ramps Up Supported Employment Program

Daniel Grundman, the City of Bloomington's Director of Employee Services, announced efforts to ramp up the City's supported employment program this year. "The City has participated in supported employment for many years, but this year, under Mayor Kruzan's direction, we decided to really ramp up our efforts with this program," said Grundman.

The City hired seven individuals in July to work in various City departments, such as the Animal Shelter, Parks and Recreation, Utilities and Fire Departments. "By partnering with Stonebelt, Options for Better Living and MCCSC we not only gain access to job candidates with valuable skills, but we also hope to serve as a model to inspire supported

employment participation among other area employers," said Grundman. Each of the organizations support and administer programs for individuals with disabilities who desire to join the workforce.

Employment figures show that 54 million Americans have disabilities and of that number, only 32 percent of people with disabilities of working age (18 - 64) work full or part time. Traditionally, competitive employment has not existed for some of these individuals due to the nature of their disabilities and their need for continuing support services in order to perform their jobs.

"This is an excellent opportunity for us to be a model for the community and to promote supported employment programs," Mayor Kruzan said.

"The individuals who have joined us are hard-working employees who have made many contributions to the City and community. I encourage our local businesses and organizations to learn more about supported employment to see if it is a good fit for them."

"Mayor Kruzan and the City of Bloomington have demonstrated amazing leadership in promoting employment opportunities for people with disabilities," said Susan Rinne, Executive Director of Options for Better Living. "City employees have worked closely with Options staff to design jobs that meet the City's needs and match the talents of those we support. I hope the City's success will encourage other employers. It really is easy and works for everyone." ♦



Testing Reveals Housing Discrimination Continues

A recent study by the U.S. Housing and Urban Development Department found that housing discrimination is alive and well. The study included 200 paired tests. In each test, two equally qualified people sought to rent an apartment. One had a disability and the other did not.

In one of four calls, landlords who advertised units for rent refused to speak to deaf people, while giving information to hearing people. In these cases, landlords refused to use the telephone relay system, which is a primary way that deaf people communicate with hearing people via telephone.

Also in a quarter of the tests, when deaf people and people who use wheelchairs were able to obtain information from prospective landlords, they did not receive the level of encouragement as people without disabilities. If landlords ask people without disabilities to complete an application or to come visit the property, they should do the same for prospective tenants with disabilities.

The study showed that a majority of landlords was willing to agree to reasonable requests from people with disabilities, as required by law. For example, they were willing to

give a tenant with a mobility impairment a parking space near the door to the unit, or allow a tenant to install a ramp at her expense. But 19% of the landlords refused requests for reasonable accommodation.

If you have questions about your rights and responsibilities, either as a landlord or as a tenant, please contact the BHRC. ♦

City of Bloomington

BHRC

PO Box 100

Bloomington, IN 47402